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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,894	11/13/2003	Iulia Rusu	IR-2389 (2-3731)	7760

7590 07/29/2005

Attn: Kourosh Salehi  
OSTROLENK, FABER, GERB & SOFFEN  
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New York, NY 10036-8403

EXAMINER

MIS, DAVID C

ART UNIT PAPER NUMBER

2817

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/706,894

Applicant(s)

RUSU ET AL.

Examiner

David Mis

Art Unit

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-8 is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5 and 9-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

1. The drawings are objected to because:

In figure 1, several nodes are missing: 1) where I25 connects to CT, 2) where MP2 connects to I250 and 3) where the gate of the CT discharge transistor connects to the grounding transistor. See Exhibit B.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. Exhibit A is a suggested drawing figure. A simplified circuit diagram similar to this is suggested.

3. Re. Claim 6, "... varying ..." is a reason for allowance of claim 6.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 9, 11 and 12 are rejected under 35 U.S.C. 102(b.) as being clearly anticipated by Nicolai.

Nicolai disclosed a circuit (Figure 1) for providing a plurality of oscillator output values (Title) comprising a timing component (C) for providing a variable timing interval (column 4, lines 63-69) and a plurality of timing sources (upper I, 2I, ...) for influencing the timing component to vary the timing interval (Abstract, lines 5-10) and a switch (switches of the switched current sources depicted in figure 1) for switching between timing sources to vary the timing interval based on cumulative timing sources (column 5, lines

17-42) and a switch control (R1) for controlling the switch to thereby control the timing interval based on the selected timing sources (column 5, lines 4-10); and discharge current source for discharging the capacitor (lower  $I_o$ ).

6. Claim 13 is rejected under 35 U.S.C. 102(b.) as being clearly anticipated by Gontowski, Jr.

Gontowski, Jr. disclosed a circuit with an oscillator (10) output, comprising a plurality of current sources (14, 18) for providing a first slope and a second slope forming portions of a waveform determining a period of the oscillator output (Figure 5) and a switch (switch of switching current source 18 responsive to "EN/DIS") for switching among (18 is switched among 14 and 18) the plurality of current sources to produce the first slope or the second slope (column 7, lines 49-56) and a timing device output ( $C_t$ ) determined by the first slope and a reference value (3V) for comparison with the timing device output to produce a control output (EN), the control output being operable to influence the switch (EN/DIS) to select the second slope.

7. Claims 1, 2, 4, 5 and 9-12 are rejected under 35 U.S.C. 102(a.) as being clearly anticipated by Chee et al.

Chee et al disclosed a circuit for providing a plurality of oscillator output values (Title), comprising a timing component (110) for providing a variable

timing interval (column 5, lines 19-25, where the loaded value determines frequency) and a plurality of timing sources (Figure 5, 515-519) for influencing the timing component to vary the timing interval (column 5, lines 25-28) and a switch (... 515-519 ...) for switching between timing sources to vary the timing interval based on cumulative timing sources (520) and a switch control (560) for controlling the switch (580, 510) to thereby control the timing interval based on the selected timing sources and wherein the switch control is a comparator (560, 570) with a reference value input (Vref1, Vref2) and wherein the timing component is a capacitor (110) and the timing sources are current sources (520) that impact a charging time of the capacitor (column 5, lines 25-28) and further comprising a discharging current source (Figure 5) for discharging the capacitor.

Chee et al disclosed switch control (560, 570), plurality of current sources (520), switching circuit (580, 510, 515-519) and influencing (Fig. 5) and "point at which" (claim 4) (the reference voltage influences Nodes B and C which influence 515-519 ...) and first and second timing rates (these change each cycle).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Mis whose telephone number

is (571) 272-1765. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571) 272-1769.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Mis  
Primary Examiner  
Art Unit 2817

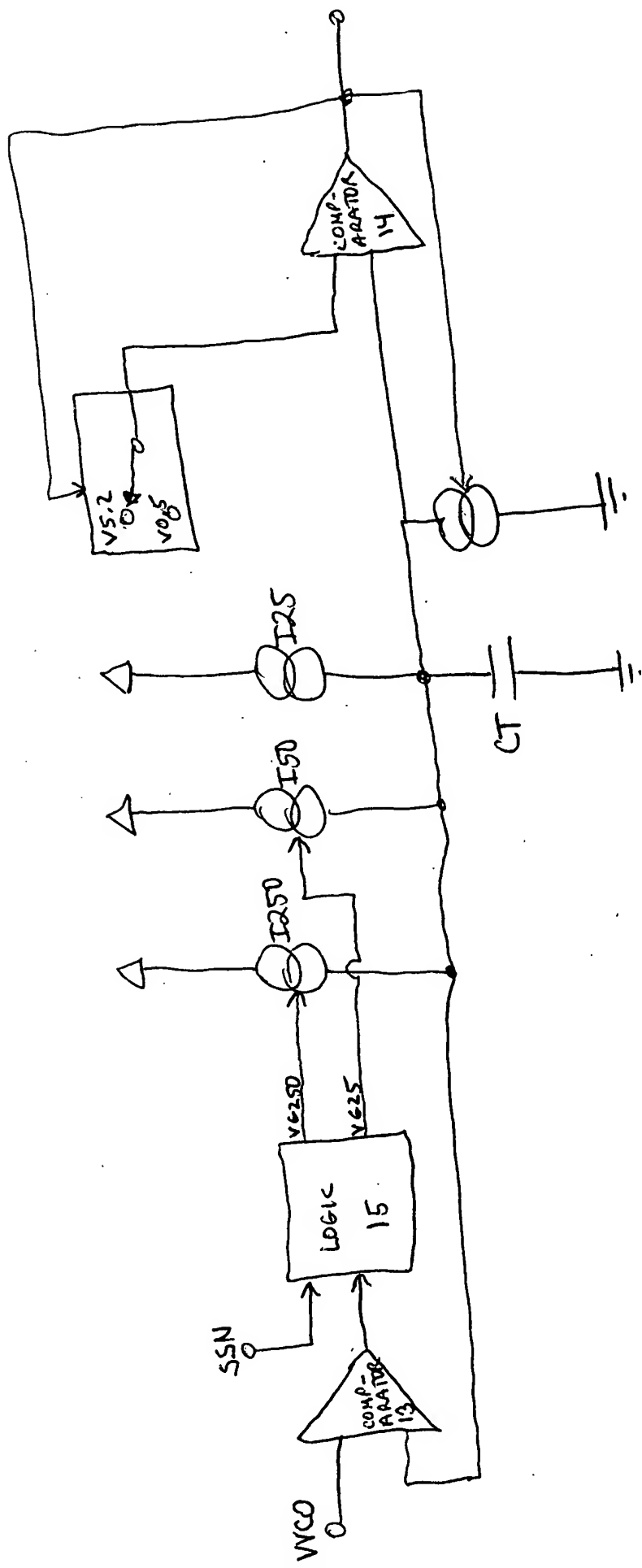


EXHIBIT A



